

REMARKS

The indication that claims 14, 15 and 17 - 25 are allowed and that claims 5 - 7 and 9 - 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is acknowledged.

By the present amendment, the features of objected to claim 5 have been incorporated into parent independent claim 1 with claim 5 being canceled, such that claim 1, as amended, represents objected to claim 5 rewritten in independent form, and applicants submit that claim 1 and therewith the dependent claims should now be in condition for allowance. Additionally, objected to claim 6, dependent upon parent independent claim 1, has been rewritten in independent form including all of the limitations of parent independent claim 1 therein such that objected to claim 6, rewritten in independent form, should now be in condition for allowance. Since claim 7 depends from claim 6, which is in condition for allowance, objected to claim 7 should also be in condition for allowance. Furthermore, by the present amendment, the features of objected to claim 9 have been incorporated into parent independent claim 8 such that claim 8, as amended, represents objected to claim 9 rewritten in independent claim form and such claim should now be in condition for allowance, noting that claim 9 has been canceled and objected to claims 10 - 13 depend directly or indirectly from claim 8 which should be in condition for allowance such that these claims should also be in condition for allowance.

With respect to allowed claims 14, 15 and 17 - 25, applicants note that by the present amendment, allowed claim 14 has been amended to delete the recitation of "is discriminated from phase aberration of said received signal due to other factors" and such phrase has been replaced with "is detected." Applicants submit that

irrespective of such amendment, as recognized by the Examiner, the other recited features of claim 14 continue to patentably distinguish over the cited art such that claim 14 should remain allowable.

Also, by the present amendment, claim 16 has been canceled and new dependent claims 26 and 27 dependent upon claim 14, have been presented, wherein claim 26 recites the features deleted from claim 14 and recites the feature of wherein said phase aberration of said received signal due to discontinuity of acoustic impedance in said object is detected by discrimination from phase aberration of said received signal due to other factors. New dependent claim 27 which depends from claim 14 recites the feature of said means obtaining a time change in said acoustic impedance of said object detects derived from information about a space position of said acoustic impedance by detecting a phase shift of said received signal, as described in the second paragraph at page 13 of the specification. Applicants submit that newly added dependent claims 26 and 27, which depend from claim 14 which should remain in condition for allowance, recite features which further patentably distinguish over the cited art and should be considered allowable therewith.


As to the rejection of claims 1, 2, 8 and 16 under 35 USC 102(b) as being anticipated by Fortes (US 5,531,117) and the rejection of claims 3 and 4 under 35 USC 103(a) as being unpatentable over Fortes, such rejections are considered to be obviated by the amendment of claim 1 to incorporate the features of objected to claim 5 therein, the amendment of claim 8 to incorporate the features of objected to claim 9 therein and the cancellation of claim 16 without prejudice or disclaimer of the subject matter thereof. Accordingly, a discussion of the cited art is considered unnecessary.

In view of the above amendments and remarks, applicants submit that all claims present in this application should now be in condition for allowance and issuance of an action of favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 520.42936X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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